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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/629,226

07/28/2003

Brad Haeblerle

2003P11236US

5321

7590

10/25/2006

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
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EXAMINER

GORTAYO, DANGELINO N

ART UNIT

PAPER NUMBER

2168

DATE MAILED: 10/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/629,226

Applicant(s)

HAEBERLE ET AL.

Examiner

Dangelino N. Gortayo

Art Unit

2168

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 10/18/2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 5 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1 and 3-23.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.


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Continuation of 11. does NOT place the application in condition for allowance because: In page 8 of the Applicant's Remarks/Arguments, the argument that "the limitation of claim 2 regarding the concept of retrieving service information about service activity at a selected individual building site is not shown in column 32, lines 11-24 as indicated by the examiner" refers to the first nonfinal action submitted to the Applicant on 2/13/2006 and does not refer to the Final Office Action submitted on 8/22/2006. As shown in the Response to Arguments section of the Final Office Action, the concept of retrieving service information about service activity at a selected individual building site is disclosed by the Kalantar reference in Figure 1, column 6 lines 48-64, and column 9 lines 3-5, wherein a server retrieves information about remote facilities or several facilities through network means, with the server coupled to a database maintaining data on the maintenance and serving of facilities. The management server also collects completion status data of services to determine the status of a service task, grouped by Task ID. Claim 2 was cancelled in the previous Applicant Amendment and so the limitation is present in claim 1, where it is rejected. For more detail into the reasons of rejection, please refer to the Final Office Action.

In regards to claim 13, Examiner respectfully refers to the Final Office Action submitted on 8/22/2006, wherein Kalantar teaches information can be provided from a group of building systems at an individual building site in Figure 16 and column 41 lines 43-62. A more thorough explanation is present in the Final Office Action.

As per dependent claims 12 and 23, Kalantar in column 41 line 63 - column 42 line 5 teaches the facility requires tasks for maintenance of mechanical systems and equipment located in different section of the facility, and tasks are based on location and specific data as assigned by a server, splitting equipment into groups.

As per dependent claims 14-16 and 18-21, the arguments are based on the service contract information not being present in the Kalantar reference. As shown above and in the Final Office Action, service contract information is present in the Kalantar reference.

As per the rejection of claim 11 under 35 USC 103(a), the motivation, as stated in the Final Office Action, of providing an individual with graphical illustration when using a work related system is present in Duenke, block 0009 lines 1-5.

It is respectfully submitted that all limitations of the present application are fully covered in the Final Office Action.